

DACTIPW



Docket No.: 241406US0CONT

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

OBLON
SPIVAK
McCLELLAND
MAIER
&
NEUSTADT
P.C.

ATTORNEYS AT LAW

RE: Application Serial No.: 10/656,228

Applicants: Yusuke AMINO, et al.

Filing Date: September 8, 2003

For: METHOD FOR PRODUCING ASPARTAME
DERIVATIVE, METHOD FOR PURIFYING THE
SAME, CRYSTALS THEREOF AND USES OF THE
SAME

Group Art Unit: 1621

Examiner: Zucker, P.A.

Allowed: March 15, 2005

SIR:

Attached hereto for filing are the following papers:

Petition Under 37 C.F.R. §1.181(a)(3)

Copy of Date-stamped Filing Receipt dated September 8, 2003

Copy of Information Disclosure Statement filed September 8, 2003

Copy of Form PTO 1449 filed September 8, 2003

Copy of Date-stamped Filing Receipt dated December 15, 2003

Copy of Information Disclosure Statement filed December 15, 2003

Copy of Form PTO 1449 filed December 15, 2003

Our check in the amount of \$0.00 is attached covering any required fees. In the event any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 C.F.R. 1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge or credit the difference to our Deposit Account No. 15-0030. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 C.F.R. 1.136 for the necessary extension of time. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.

Stephen G. Baxter

Registration No. 32,884

Customer Number

22850

(703) 413-3000 (phone)
(703) 413-2220 (fax)

Vincent K. Shier, Ph.D.
Registration No. 50,552

DOCKET NO.: 241406US0CONT

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF:

YUSUKE AMINO ET AL

: EXAMINER: ZUCKER, P.A.

SERIAL NO. : 10/656,228

: ART UNIT: 1621

FILED: SEPTEMBER 8, 2003

: ALLOWED: MARCH 15, 2005

FOR: METHOD FOR PRODUCING ASPARTAME DERIVATIVE, METHOD FOR
PURIFYING THE SAME, CRYSTALS THEREOF AND USES OF THE SAME

PETITION UNDER 37 C.F.R. §1.181(a)(3)

COMMISSIONER FOR PATENTS
Alexandria, VA 22313-1450

SIR:

Petitioners respectfully request the Office to invoke the supervising authority of the Commissioner and consider Petitioners' Amendment under 37 C.F.R. §1.312, concurrently filed herewith, and also indicate that Fukuda et al listed on the Information Disclosure Statement Filed on September 8, 2003, and the references cited on the Information Disclosure Statement filed on December 15, 2003, have been considered. Petitioners respectfully request that the Examiner acknowledge consideration of same by providing Applicants with an initialed copy of Form PTO-1449 enclosed herewith listing these references. Petitioners submit herewith a copy of the Information Disclosure Statements as filed on September 8, 2003, and December 15, 2003, along a copy of the corresponding date-stamped filing receipts evidencing the timely filing thereof.

For the reasons given above, this petition should be GRANTED.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.



Stephen G. Baxter
Attorney of Record
Registration No. 32,884

Vincent K. Shier, Ph.D.
Registration No. 50,552

Customer Number

22850

Tel: (703) 413-3000

Fax: (703) 413-2220

(OSMMN 08/03)



Dept.: -C-

OSMM&N File No. 241406US0CONT

By: NFO/VKS/sfb

Serial No. NEW APPLICATION

In the matter of the Application of: Yusuke AMINO, et al.

For: METHOD FOR PRODUCING ASPARTAME DERIVATIVE, METHOD FOR PURIFYING THE SAME, CRYSTALS THEREOF AND USES OF THE SAME

Due Date: 09/08/03

The following has been received in the U.S. Patent Office on the date stamped hereon.

- 49 pp. Specification 39 Claims/Drawings 1 Sheets and 2 Pages Application Data Sheet
- Copy of Combined Declaration, Petition & Power of Attorney 3 Pages (executed)
- Utility Patent Application Transmittal
- Request for Priority
- Check for \$966.00
- Dep. Acct. Order Form
- Fee Transmittal Form
- Preliminary Amendment
- Information Disclosure Statement
- PTO-1449
- White Advance Serial Number Card

COPY



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: Yusuke AMINO, et al.

SERIAL NO: NEW APPLICATION

GAU:

FILED: HEREWITH

EXAMINER:

FOR: METHOD FOR PRODUCING ASPARTAME DERIVATIVE, METHOD FOR PURIFYING THE SAME,
CRYSTALS THEREOF AND USES OF THE SAME



INFORMATION DISCLOSURE STATEMENT UNDER 37 CFR 1.97

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

SIR:

Applicant(s) wish to disclose the following information.

REFERENCES

- ☒ The applicant(s) wish to make of record the references listed on the attached form PTO-1449. Copies of the listed references were filed on March 7, 2002, June 11, 2002 and January 9, 2003 and were also entered by the U.S. Patent Office on September 9, 2002 in U.S. Application Serial No. 10/091,500, where required, as are either statements of relevancy or any readily available English translations of pertinent portions of any non-English language references.
- ☐ A check is attached in the amount required under 37 CFR §1.17(p).

RELATED CASES

- ☐ Attached is a list of applicant's pending application(s) or issued patent(s) which may be related to the present application. A copy of the patent(s), together with a copy of the claims and drawings of the pending application(s) is attached along with PTO 1449.
- ☐ A check is attached in the amount required under 37 CFR §1.17(p).

CERTIFICATION

- ☐ Each item of information contained in this information disclosure statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement.
- ☐ No item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to the knowledge of the undersigned, having made reasonable inquiry, was known to any individual designated in 37 CFR §1.56(c) more than three months prior to the filing of this statement.

DEPOSIT ACCOUNT

- ☒ Please charge any additional fees for the papers being filed herewith and for which no check or credit card payment form is enclosed herewith, or credit any overpayment to deposit account number 15-0030. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.

Norman F. Oblon

Registration No. 24,618

Vincent K. Shier, Ph.D.

Registration No. 50,552

Customer Number

22850

Tel. (703) 413-3000
Fax. (703) 413-2220
(OSMMN 05/03)

ATTY DOCKET NO.
241406US0CONT

APR 29 2005

SHEET 1 OF 1

SERIAL NO.
NEW APPLICATION

LIST OF REFERENCES CITED BY APPLICANT

APPLICANT
Yusuke AMINO, et al.FILING DATE
HEREWITH

GROUP

U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FILING DATE IF APPROPRIATE
	AA	5,480,668	01/02/98	Nofre, et al.			
	AB	5,510,508	04/1996	Claude, et al.			
	AC	6,077,962	07/2000	Prakash, et al.			
	AD						
	AE						
	AF						
	AG						
	AH						
	AI						
	AJ						
	AK						
	AL						
	AM						
	AN						

FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	COUNTRY	TRANSLATION	
					YES	NO
	AO	WO 00/17230	03/30/00	Wipo		
	AP	WO 00/00508	01/06/00	Wipo		
	AQ	WO 99/52937	10/21/99	Wipo		
	AR					
	AS					
	AT					
	AU					
	AV					

OTHER REFERENCES (Including Author, Title, Date, Pertinent Pages, etc.)

	AW	S. Nishimura, "HANDBOOK OF HETEROGENEOUS CATALYTIC HYDROGENATION FOR ORGANIC SYNTHESIS", John Wiley & Sons, NY, pp. 178-185, 2001
	AX	T. Fukuda, "NIPPON KAGAKU ZASSHI", vol. 83, pp. 1126-1129, 1962
	AY	
	AZ	

☐ Additional References sheet(s) attached

Examiner

Date Considered

*Examiner: Initial if reference is considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.



OSMM&N File No. 241406US0CON

Dept.: Chemical

By: NFO/C/L/jot

Serial No. 10/656,228

In the matter of the Application of: Yusuke AMINO, et al.

For: METHOD FOR PRODUCING ASPARTAME DERIVATIVE, METHOD FOR PURIFYING THE SAME, CRYSTALS THEREOF AND USES OF THE SAME

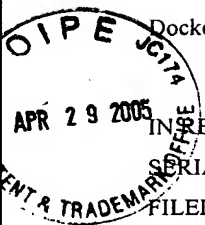
Due Date: December 15, 2003

The following has been received in the U.S. Patent Office on the date stamped hereon:

- Dep. Acct. Order Form
- PTO-1449
- IDS/Related/List of Related Cases
- Cited Pending Applications (1)

COPY





Docket No. 241406US0CONT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: Yusuke AMINO, et al.

SERIAL NO: 10/656,228

GAU: 1614

FILED: September 8, 2003

EXAMINER:

FOR: METHOD FOR PRODUCING ASPARTAME DERIVATIVE, METHOD FOR PURIFYING THE SAME, CRYSTALS THEREOF AND USES OF THE SAME

INFORMATION DISCLOSURE STATEMENT UNDER 37 CFR 1.97

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

SIR:

Applicant(s) wish to disclose the following information.

REFERENCES

- ☐ The applicant(s) wish to make of record the references listed on the attached form PTO-1449. Copies of the listed references are attached, where required, as are either statements of relevancy or any readily available English translations of pertinent portions of any non-English language references.
- ☐ A check or credit card payment form is attached in the amount required under 37 CFR §1.17(p).

RELATED CASES

- ☒ Attached is a list of applicant's pending application(s) or issued patent(s) which may be related to the present application. A copy of the patent(s), together with a copy of the claims and drawings of the pending application(s) is attached along with PTO 1449.
- ☐ A check or credit card payment form is attached in the amount required under 37 CFR §1.17(p).

CERTIFICATION

- ☐ Each item of information contained in this information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement.
- ☐ No item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to the knowledge of the undersigned, having made reasonable inquiry, was known to any individual designated in 37 CFR §1.56(c) more than three months prior to the filing of this statement.

DEPOSIT ACCOUNT

- ☒ Please charge any additional fees for the papers being filed herewith and for which no check or credit card payment is enclosed herewith, or credit any overpayment to deposit account number 15-0030. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

ORLEN SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.

Norman F. Clifton

Registration No. 24,618

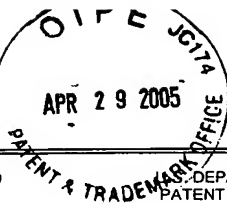
Customer Number

22850

Tel. (703) 413-3000
Fax. (703) 413-2220
(OSMMN 05/03)

APR 29 2005

SHEET 1 OF 1

Form PTO 1449
(Modified)U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICE

ATTY DOCKET NO.

241406US0CONT

SERIAL NO.

10/656,228

LIST OF REFERENCES CITED BY APPLICANT

APPLICANT

Yusuke AMINO, et al.

FILING DATE

September 8, 2003

GROUP

1614

U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FILING DATE IF APPROPRIATE
	AA	6,649,784	11-18-03	AMINO et al.			
	AB	6,630,191	10-07-03	AMINO et al.			
	AC	6,548,096	04-15-03	AMINO et al.			
	AD						
	AE						
	AF						
	AG						
	AH						
	AI						
	AJ						
	AK						
	AL						
	AM						
	AN						

COPY

FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	COUNTRY	TRANSLATION	
					YES	NO
	AO					
	AP					
	AQ					
	AR					
	AS					
	AT					
	AU					
	AV					

OTHER REFERENCES (Including Author, Title, Date, Pertinent Pages, etc.)

	AW	
	AX	
	AY	
	AZ	<input type="checkbox"/> Additional References sheet(s) attached

Examiner

Date Considered

*Examiner: Initial if reference is considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.